

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Quandarias Cox

Docket No. 5:13-MJ-1960

Petition for Action on Probation

COMES NOW Nikki Allen, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Quandarias Cox, who, upon an earlier plea of guilty to Driving While Impaired - Level 2 in violation of 18 U.S.C. § 13 assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on October 13, 2014, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
2. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
3. The defendant shall abstain from the use of any alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
4. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his/her privilege to do so is restored in accordance with the law.
5. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 7 days as arranged by the probation office.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE
AS FOLLOWS:**

Due to the fact that Cox resides in Tulsa, Oklahoma, his supervision was immediately transferred to that district on October 14, 2014. The probation officer in that district states that they have no means or facilities available by which to initiate a probationary jail sentence. They have requested that in lieu of the court ordered 7 day jail placement, he be allowed to serve the 7 days on home incarceration with electronic monitoring. Our office agrees with this recommendation and Cox has signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall be placed on home incarceration for a period of seven days as soon as can be scheduled by the probation officer. Home incarceration shall include electronic monitoring. If an electronic device is utilized, the defendant shall observe the rules specified by the probation officer, and shall maintain a telephone at the defendant's place of residence without any special services, modems, answering machines, or cordless telephones during the term of home incarceration if instructed by the probation officer. The entire cost of electronic monitoring shall be paid by the defendant.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

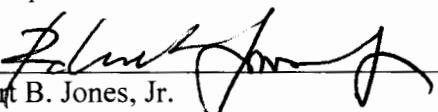
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Nikki Allen
Nikki Allen
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301
Phone: (910) 483-8613
Executed On: December 2, 2014

ORDER OF COURT

Considered and ordered this 3 day of December, 2014, and ordered filed and made a part of the records in the above case.



Robert B. Jones, Jr.
U.S. Magistrate Judge